

VIA ONLINE FILING

Anthony J. Hood, Chairman
Zoning Commission for the District of Columbia
441 Fourth Street, NW, Suite 200
Washington, DC 20001

RE: Z.C. Case No. 14-18A- Brookland Manor/Brentwood Village Residents Association (the Association) Draft Order

Dear Chairman Hood and Commissioners:

On behalf of the Association (acting as Party Opponent) in Case No. 14-18A, attached as Exhibit A please find the Applicant's proposed draft Order.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "William R. Merrifield Jr.", is written over the typed name.

William R. Merrifield Jr.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ZONING COMMISSION
ZONING COMMISSION ORDER
Z.C. Case No. 14-18A**

**Second Stage Denial for a Planned Unit Development and Modification of an Approved
First Stage Planned Unit Development Application of Mid-City Financial Corporation
(Square 3953, Lots 1-3)**

April 18th, 2017

Pursuant to notice, the Zoning Commission for the District of Columbia (the “**Commission**”) held public hearings on February 23, 2017 and March 16, 2017 to consider an application from Mid-City Financial Corporation (the “**Applicant**”) for second stage approval of a planned unit development and modification of an approved first-stage planned unit development (collectively, a “**PUD**”). The Zoning Commission considered the application pursuant to Title 11 of the District of Columbia Municipal Regulations (“**Zoning Regulations**”), Subtitles X and Z. The public hearing was conducted in accordance with the provisions of Chapter 4 of Subtitle Z of the Zoning Regulations. For the reasons stated below, the Zoning Commission hereby **denies** the application.

Findings of Fact

1. The property that is subject to this PUD includes Lots 1-3 in Square 3953 (“**Block 7**”) of the Brookland Manor apartment complex in the Brentwood neighborhood of Ward 5. Exh. 1H. Block 7 is bounded by Saratoga Avenue to the north, 14th Street, NE to the east, a 16 foot wide public alley to the south, and Brentwood Road, NE to the west. Id. The Applicant proposes to redevelop Block 7 with: (i) a four-story apartment building containing approximately 131 units and 68 below- grade parking spaces (**Building A**), and (ii) approximately 200 senior only units with 48 below grade parking spaces (**Building B**). Exh. 24E at GO7.
2. The current Application for the a second-stage PUD is part of the broader redevelopment of Brookland Manor. Exh. 34 at 2. Brookland Manor is bounded by Rhode Island Ave to the north; Montana Avenue to the East; Downing Street and Saratoga Avenue to the south; and Brentwood Road to the west. Id. Currently, Brookland Manor apartments consists of nineteen apartment buildings and approximately 535 units (one to five bedrooms). Id. In an order effective as of November 2015, this Commission approved the first-stage Planned Unit development application of the Applicant and related parties in Zoning Commission order No. 14-18A (the “**First Stage Order**”).
3. Crucial to the Commission’s approval of the First Stage order was the Applicant’s stated affordable housing commitment that Applicant submitted on June 8, 2015 in its post hearing submission. The Applicant clearly articulated its affordable housing commitment as follows:

- a. The Applicant will retain the project based Section 8 Assistance Payment contracts on the property, which provide deep rental assistance to 373 extremely low income families (incomes below 30% of AMI); and
 - b. All households in good standing that reside at Brookland Manor at the commencement of the redeveloped property in early 2018 will be provided the opportunity to remain at the property through and following the redevelopment process. (See ZC Case No. 14-18, Exhibit 104, p.6)
4. On August 4, 2016, the Applicant delivered a notice of its intent to file a zoning application to all owners of property within 200 feet of the perimeter of the Property as well as to the Advisory Neighborhood Commission (“ANC”) 5B and 5C. Exh. 1C. The Applicant filed the Application for this PUD on September 22, 2016, Exh. 2, and the Application was accepted as complete by the Office of Zoning on September 28, 2016. Exh. 4. The Office of Zoning referred the Application to the ANC’s, the Councilmember for Ward, and the District Office of Planning (“OP”), and notice of the filing of the Application was published in the D.C. Register. Exh. 5-9. The notice mailed to ANC 5C was returned as undeliverable. Exh. 11.
5. On November 4, 2016, OP delivered a report (the **OP Setdown Report**), on the Application recommending that this Commission set it down for public hearing and requesting additional information from the Applicant. Exh. 10.
6. At a public meeting on November 14, 2016, OP presented the OP Setdown Report. November 14, 2016 Transcript (Tr.1”) of the Zoning Commission Regular Public Meeting at 39-41. At that time, this Commission requested additional information from the Applicant. The Commission confirmed that ANC 5C received actual notice of the Application Id. At 45.
7. Notice of the public hearing for Z.C. Case No. 14-18A was published in the DC Register on December 30, 2016 (64 DC Reg. 65395) and was mailed to the ANC and to owners of the property within 200 feet of the property. Exh. 14-16. On January 13, 2017, the Applicant posted notice of the public hearing at the property. Exh. 17. On February 17, 2017, the Applicant filed an affidavit describing the maintenance of such posted notice. Exh. 62.
8. OP requested comments on the Project from the District agencies and received comments from the District Department of Energy and the Environment (“DOEE”), the District Department of Transportation (“DDOT”), DC Water, the Department of Housing and Community Development (“DHCD”), and the Fire and Emergency Medical Services Department (“FEMS”). Exh. 34 at 16.
9. The Commission notes On February 2, 2017the Applicant submitted a typed generic cover letter with no date. Exh. 24B. Attached to the letter were undated signatures of tenants on what appeared to be sign in sheets. Id. Further, the Applicant offered no

witness to authenticate this document of that February 23, 2017 hearing. The Commission does not find this a credible display of community support.

10. The Commission further notes generally that many of the Applicant's letters in support appear to be form in nature.
11. On February 13, 2017 OP issued its final report ("**OP Final Report**"). Attached to OP's final report was an e-mail from DHCD. The e-mail stated that DHCD stated in part that they would like to see a formal commitment that the Section 8 contract remain in effect for perpetuity or at least 40 years. Exh. 34 see Attachment 3.
12. On February 9, 2017, the Brookland Manor/Brentwood Village Residents Association (the "**Association**") filed for Party Status in Opposition of Applicants proposed First Stage Modification and Second Stage PUD. (Ex. No. 30).
13. On February 16, 2017, the Applicant filed a response to the Association's request for party status and objected to the scope of the Association's proposed testimony. Exh. 38.
14. The ANC's are automatically a party to this proceeding. 11-Z DCMR Section 403.5 (b). Neither ANC filed a report on this Application. Further, Ward 5 Councilmember Kenyon McDuffie did not file a report on this application.
15. On February 23, 2017 Washington DC At- Large Councilmembers David Grosso and Elissa Silverman filed a joint letter with the Commission. That letter pointed out that there are 373 units of affordable housing associated with the Applicant's section 8 project based contract. However, the letter went on to detail that there are many more affordable units currently on site (535 total). The Councilmember's then stated their desire that all 535 current affordable units be made part of the Applicant's overall redevelopment of Brookland Manor. Exh. 155.
16. On February 23, 2017, the President of the Brookland Neighborhood Association (the "**BNA**") filed a letter with this Commission expressing concern over various components of the Application. The BNA pointed out that the project would eliminate large bedroom sizes and decrease overall affordability on the Project's site. The BNA also raised concerns regarding the Applicant's heavy handed eviction tactics. Exh. 127.
17. On February 23, 2017, this Commission conducted a public hearing on the Application and the hearing was held in accordance with Subtitle Z of the Zoning Regulations. February 23, 2017 Transcript ("**Tr.2**") of the Zoning Commission Public Hearing Case No. 14A at 3. As a preliminary matter prior to the Applicant's testimony, this Commission voted to grant party status to the Association. Id. at 12.
18. At the hearing, the Applicant limited their presentation to 30 minutes (Tr. 2 at 13) and presented testimony from their project architect and traffic consultant. Tr. 2 (20-35).

19. On Cross examination by the Association, the Applicant was unable to answer the question of how many residents lived at Brookland Manor at the time of the hearing. Further, the Applicant could not define the term “in good standing”. Tr. 2 at 83-85. The Applicant committed to provide that information in their post submission filing. Id.
20. OP presented its report at the hearing. Tr. 90-92. The Association crossed examined OP. On cross examination, the OP stated that they conducted no inquiries to the Applicant regarding the status of the Applicant’s Section 8 project- based contract being renewed with HUD. Further, OP made clear that the office did not conduct any studies analyzing the destabilization of land values that might occur as a result of the project. Tr. 2 at 97.
21. At the February 23 hearing, the Association presented its testimony. Tr. 2 at 129-64. The Association’s testimony raised concerns regarding the Applicant’s affordable housing commitment and how it related to overall redevelopment. Id. The Association stated that residents had been wrongfully displaced from Brookland Manor during the course of the redevelopment process to date and that the Block 7 plan ensured that other residents would be displaced in the future. Id. The Applicant did not cross the Association. Id. at 164.
22. On March 16, 2017 this Commission resumed the public hearing on the Application to hear opposition testimony from the general public. March 16 Transcript (“Tr. 3”).
23. At the conclusion of opposition testimony on March 16, the Applicant provided closing remarks. Tr. 3 at 134. Upon conclusion of Applicant’s closing statement, this Commission requested from the Applicant, the ANC, and the Association. Id
24. On April 10, 2017, the Applicant filed a written post-hearing submission (“**Post Hearing Submission**”) in response to items requested by this Commission, Exh. () and a draft order. Exh. ().
25. On April 18, the Association filed a Motion to Strike Applicant’s Exhibit D attached to its Post-Hearing Submission (RCLCO Report titled “Analysis of Potential Impact of the RIA Development on Gentrification, Destabilization of Property Values, Displacement, and Employment). The Association also filed its Response to Applicants Post Hearing Submissions () and a draft order. This Commission finds that all the Association’s filings and testimony was credible and thorough.
26. On April (), this Commission granted the Association’s Motion to Strike RCLCO Report attached to Applicant’s post hearing submission.
27. On May (), 2017, this Commission took final action to deny the Application.

Inconsistencies with First Stage Approval

1. Prerequisite to the Commission’s approval of the First Stage order was the Applicant’s stated affordable housing commitment submitted on June 8, 2015 as part of the

Applicant's post hearing submission. The Applicant clearly articulated its affordable housing commitment as follows:

- a. The Applicant will retain the project based Section 8 Assistance Payment contracts on the property, which provide deep rental assistance to 373 extremely low income families (incomes below 30% of AMI); and
 - b. All households in good standing that reside at Brookland Manor at the commencement of the redeveloped property in early 2018 will be provided the opportunity to remain at the property **through and following the redevelopment** process. (See ZC Case No. 14-18, Exhibit 104, p.6)
2. The Applicant's current proposal is limited to Block 7 of the property at Brookland Manor. The property is located in Ward 5 in the Northeast quadrant of DC, and consists of an elongated block located along the southern border of the Brookland Manor site. The property is bounded by Saratoga Avenue NE to the north, 14th Street, NE to the east, Brentwood Road, NE to the west and a public alley to the south. Exh. 1G.
 3. The Applicant's proposed PUD seeks to demolish the three existing buildings and replace them with 2 buildings (Building A and Building B). Id.
 4. Building B would contain 130 units. The breakdown on those units would be as follows:
 - a. 3 studios
 - b. 58 one bedrooms
 - c. 50 two bedrooms
 - d. 19 three bedrooms
 5. The Applicant states that initially Building B would have up to 65 affordable units on a temporary basis until their overall proposed redevelopment is completed. Once the overall redevelopment is complete, the Applicant expects that 25 units would be permanently affordable in Building B. Id.
 6. The Applicant is proposing that Building A would have 200 units and would be used exclusively as a senior citizen building. The bedroom breakdown for Building A would be 192 one bedroom units and 8 two bedroom units. Id.
 7. Assuming that the Section 8 project based contract will be renewed, the 200 units that would make up Building A would account for a substantial portion of 373 total affordable units associated with that contract. Thus, after the 200 units of housing at the senior building is accounted for, there would be 173 remaining units of deeply affordable housing to house the rest of the Brookland Manor residents as part of the Section 8 project based contract. Id.

8. In the Applicants post hearing submission they state that only 167 seniors at Brookland Manor will be eligible to access the senior building at the time that the building will be ready for occupancy. Post hearing submission at attachment A. Id.
9. These numbers make clear that there will only be 340 deeply affordable units associated with the project-based contract available to current Brookland Manor residents. Even if all 167 current residents who will be eligible for the senior building choose to live in that building upon the redevelopment's completion, 33 of the building's 200 units will house seniors that do not currently live at Brookland Manor. This means that 33 of those units would not serve as replacement units for current residents.
10. There are 431 occupied units at Brookland Manor as of April 10, 2017. Id at 2. If current residents occupy units in the redevelopment in a way that maximizes the number of households that remain on the property (i.e. all eligible seniors occupy a unit in the senior building and all other current households occupy the remaining 173), 340 units will serve as replacements. Thus, there is a 91 unit discrepancy between the number of units needed to bring back all current Brookland Manor households, and the number that would be made available through the renewal of the project based contract.
11. However, in reality this Commission finds that the unit discrepancy is undoubtedly larger than 91 households. The Commission comes to this conclusion for several reasons:
 - a. The Commission heard evidence and the Applicant has previously acknowledged that many current Brookland Manor seniors live with extended families. Many of these seniors will choose to stay in their existing household configurations and will opt not to live in the senior building Tr. 2 at 138, 142-144.
 - b. If seniors who currently live in intergenerational families choose to live in the senior building, it would mean that their remaining family members would have to be housed in another unit at Brookland Manor. The splitting of these households would increase the replacement units needed beyond the current 431 occupied units. If the Applicant does not commit to housing these remaining family members in another unit on the property, their commitment to house all residents in good standing at the commencement of the redevelopment will not be realized.
12. Further, the Applicant has not provided any substantive update on the status of Section 8 voucher holders on site. In fact, in their post-hearing submission, the Applicant states that their only current commitment to voucher holders is to retain the residents on site through the build out. Applicants Post Hearing Submission at 5.
13. The Applicant goes on to assert that the units occupied by voucher holders are in essence market rate units. Thus, according to the Applicant, if the units were counted as "affordable", the Applicant's affordable commitment would be far greater than the 22% (373 units) of the total number of units that was identified in the Zoning Commission Order No. 14-18. Id at 5 (footnote 1). This Commission finds the Applicant's refusal to commit to housing voucher holders inconsistent and irreconcilable with their first stage

PUD commitment to house all residents “in good standing” at the commencement of the redevelopment through and **following** the redevelopment process.

Evidence of Displacement at Brookland Manor

14. At the time of First Stage PUD approval, there were 503 occupied units at Brookland Manor. Exh. 34 at 5. The Applicant states in their most recent filing that as of April 10, 2017, there are currently 431 occupied units at Brookland Manor. Further, the Applicant states that the number of occupied units will shrink to 415 by early 2018. Exh. 1G Id. The Applicant has repeatedly referred to this process as “natural attrition”.
15. Between January 2014 and March 2016, 373 eviction lawsuits were filed at Brookland Manor. During that period, Brookland Manor sued residents at least 59 times for alleged debts of \$100 or less. Nearly all of them were based on a single month’s rent. Roughly half of the suits — 27 — were for \$25 or less. During this same timeframe, lawsuits citing lease violations more than quadrupled. Exh. 132 at 5-26.
16. During the March 16, 2017 Public Hearing, this Commission heard numerous testimonies from residents and surrounding community members regarding heavy handed tactics being used by the Applicant and their Agents to force residents off the property. Tr. 3 at 123-28, Exh. 166.
17. Shaina Lamchick Hagan, an Attorney for Neighborhood Legal Services, testified that she has represented numerous Brookland Manor residents with respect to issues regarding management and the private security force that the Applicant has hired. Id.
18. Ms. Hagan explained that this security force routinely hands out “notices of infraction” to tenants at the property. Ms. Hagan pointed out that these notices are given with no due process, nor are tenants given the opportunity to challenge their legitimacy. Further, the notices are then used as the basis for eviction. Id.
19. Testifying for the Opposition, Brookland Manor Residents Ms. El-Amin, Ms. Neeka Sullivan, Ms. Scott and others living at the property also raised concerns regarding unprofessional behavior and harassment by the private security force. TR. 2 at 146-47, 155-58, 160-61, 170. Tr. 3 at 22-25, 28-29, 45, 55, 68-69, 82, 111-12, 125-28, 131; Exh. 94, 115, 116, 137, 144-46, 148, 157.
20. This Commission heard evidence indicating that these notices of infraction are being issued for frivolous reasons while tenants engage in normal activity, such as: standing outside talking to their neighbors in common areas, standing for too long outside building entrances, “making noise” during daytime singing rehearsals, children playing on the playground, people leaning on gates, individuals sitting on the front porch, and even for stepping on grass. TR. 2 at 146-47, 155-58, 160-61, 170. Tr. 3 at 22-25, 28-29, 45, 55, 68-69, 82, 111-12, 125-28, 131; Exh. 94, 115, 116, 137, 144-46, 148, 157 167.

21. These “Notices of Infraction” are especially troubling to the Commission considering the Applicant has made clear that only tenants “**in good standing**” will be able to return to the property. This Commission heard testimonies that make evident the fact that this private security force is completely untrained and ill-equipped to determine whether a tenant is committing a lease violation. This Commission does not condone the Applicant’s allowing this private security force to indiscriminately hand out “notices of infraction,” which could determine whether or not a tenant is in “good standing,” particularly with no opportunity for the tenant to challenge the underlying allegations in the notices before an eviction is filed.
22. The Commission also heard evidence of the indiscriminate and troubling use of barring notices. Particularly concerning to the Commission was testimony regarding the Applicant’s practice of barring ALL individuals who had been evicted from the property, regardless of the underlying circumstances of the eviction. This means that former tenants were barred from returning to the property after being evicted for things such as non-payment of rent or some other violation that had nothing to do with that tenant being a threat to the health and safety of the neighborhood. Tr. 2 at 159-163.
23. Ms. Valerie Scott testified as part of the Party in Opposition. Ms. Scott explained that her 70-year-old mother was evicted from the property as the result of a series of events stemming from allegations that her adult son was living with her while barred from the property. Ms. Scott explained that Security barred her brother from the property and then filed an eviction against her mother for allowing a barred individual on the property (her son). Ms. Scott’s mother went to court and signed a move out agreement without fully understanding what it meant. After her mother was evicted, security passed around photos of her claiming that she (her mother) was now barred. When Ms. Scott’s mother then came to visit her, Ms. Scott was given a notice of infraction and threatened with eviction for having a barred person visit her. TR. 2 at 159-163.
24. Further testimony detailed instances of sexual harassment, illegal searches, and violence toward residents committed by members of the private security force. Exh. 166. Community organizers working with the tenants also reported being harassed and threatened with arrest by private security. Exh. 174.
25. Residents also raised repeated concerns about the fences at the property. Residents testified that the fences make it difficult for Seniors and disabled residents to move about the property. Residents testified that the environment created by the regular issuance of barring notices and notices of infraction, and the fences restricting movement contribute to the property feeling like a prison. Tr. 2 145-49.
26. This Commission is deeply concerned with the testimony it has heard regarding the notices of infraction, barring notices, and the actions of the private security force at the Brookland Manor property. Additionally disturbing is the Applicant’s empowerment of this private security force with the authority to determine who is and is not in good standing at the property. These factors, coupled with the questionable eviction practices outlined above and the lack of clarity around the number of replacement units that will be

available to families at Brookland Manor, leave this Commission with grave concerns regarding the tactics being used by the Applicant to achieve their stated goal of having the property down to 415 occupied units by early 2018.

Outstanding Legal Issues

27. Amber Charles from the Law Firm Covington and Burling (Covington) provided testimony regarding pending litigation filed by Covington along with the Washington Lawyers' Committee for Civil Affairs (WLC). Ms. Charles explained that Covington and WLC are counsel for a class of families who have brought a federal lawsuit against Mid-City, based on claims of discrimination relating to the Applicant's proposed redevelopment plan. Specifically, Ms. Charles pointed out that the eradication of four and five bedroom apartments, as well as the reduction of three-bedroom apartments from 75 to 67, constitutes a disparate impact on families. Tr. 3 at 113.
28. Ms. Charles went on to point out that families in the redevelopment are more than four times as likely as non-families to be negatively impacted by the redevelopment. Tr. 3 at 114. Moreover, Ms. Charles explained that even if certain families could be resized from four and five bedroom apartments, only 67 three bedroom apartments will be available to all of the current three-bedroom, four-bedroom, and five-bedroom residents. Thus, the Applicant's claim that families can be "right sized" does not add up. Id.
29. Catherine Cone from WLC provided testimony regarding this Commission's role in implementing the District's Fair Housing Obligations. Tr. 3 at 118-123; Exh. 167. Ms. Cone's testimony makes clear that among the steps the Applicant can take to make this project inclusive is to commit to the building of larger family style units and to ensure DCHA voucher caps are raised in order to ensure families are not displaced from the property and affordable units are not significantly reduced. Id.

Conclusions of Law

Purpose and PUD Evaluation Standards

The purpose of the PUD is outlined in 11 DCMR, Subtitle X Section 300.1 and states that a PUD process is:

"to provide for higher quality developments through flexibility in building controls, including height and density, provided that a PUD:

- a. Results in a project superior to what would result from the matter of right standards;*
 - b. Offers a commendable number or quality of meaningful public benefits; and*
 - c. Protects and advances the public health, safety, welfare, and convenience, and is not inconsistent with the Comprehensive Plan."*
1. This Commission approved the Applicant's first stage PUD in large part due to the Applicant's first stage commitment that all households in good standing at the

commencement of the redevelopment would be provided the opportunity to stay at Brookland Manor through and following the redevelopment process. FF at 3.

2. The evidence before this Commission makes clear that the Applicant has no clear plan in place to meet that objective. Further, without a firm commitment by the Applicant to retain current voucher holders post redevelopment, the commitment cited above cannot be achieved. This Commission concludes that no such plan is in place at the moment.
3. Moreover, this Commission's findings with respect to the displacement tactics being employed by the private security at the property make clear that this PUD fails to protect the public health, safety, and welfare of the tenants living at the property. Therefore, the Commission concludes that the PUD cannot be considered a Public Benefit and fails to meet the standards necessary for approval.

Consistency with First Stage Approval and Comprehensive Plan.

The PUD approval process must be flexible enough to “accommodate potential diverse community needs.”¹ The Zoning Commission will approve a second-stage PUD application if it finds the application to be “in accordance with the intent and purpose of the Zoning Regulations, the PUD process, and the first-stage approval.”² At the second stage, the Commission's review of the final application is limited to determining whether the plans “conform to the elements and guidelines contained in the original approval and whether the applicant has provided all the information required under § 7501.39.”³ The conditions contained in the original approval are binding on the developer, which is “foreclosed from modifying these conditions at the final hearing.”⁴

4. For the reasons stated above, this Commission concludes that the Applicant cannot meet its stated condition to house all households in good standing at the commencement of the redevelopment and through and following the redevelopment process. Thus, the current PUD is wholly inconsistent with this Commission's first stage PUD approval. These findings also show that that the current Application is inconsistent with the Upper Northwest Area Elements of the Comprehensive Plan where the integrity and stability of the neighborhood as well as preventing displacement are key factors.

¹ *Dupont Circle Citizens' Ass'n v. D.C. Zoning Comm'n*, 426 A.2d 327, 334 (D.C. 1981). *See also Dupont Circle Citizens' Ass'n v. D.C. Zoning Comm'n*, 431 A.2d 560, 565 (D.C. 1981) (emphasizing the importance of flexibility in the PUD process and noting that it would be “unrealistic” to “require applicants to provide exact details regarding certain aspects of a proposed project”).

² 11 DCMR § 2408.6 (2013); *Randolph v. D.C. Zoning Comm'n*, 83 A.3d 756, 758 (D.C. 2014) (note that 11 DCMR 2408.6 is now located at 11-X DC ADC § 309).

³ *Dupont Circle Citizens' Ass'n v. D.C. Zoning Comm'n*, 426 A.2d at 331-32 (noting, however, that the “actual characteristics” of the PUD in the preliminary application are not controlling – only the Commission's guidelines for the final project, outlined in its order granting preliminary approval, set the standards for final review).

⁴ *Id.* at 336.

DECISION

Accordingly, for the reasons stated above, it is hereby **ORDERED** that the Mid City Financial application requesting a second stage approval of a planned unit development and modification of an approved first-stage planned unit development (collectively a PUD) is **denied**.

On _____, 2017, upon the motion of Commissioner _____, as seconded by Commissioner _____, the Zoning Commission **denied** the application for the PUD and related Zoning Map amendment by a vote of _____.

On _____, 2017, upon the motion of Commissioner _____, as seconded by Commissioner _____, the Zoning Commission **ADOPTED** the order at its public meeting, by a vote of _____.

In accordance with the provisions of 11-Z1 DCMR 604.9, this order shall become final and effective upon the publication in the D.C. Register, that is on _____.

Anthony J. Hood

Chairman

Zoning Commission

Sara A. Bardin

Director

Office of Zoning

CERTIFICATE OF SERVICE

I, William Merrified, hereby certify that on the 18 day of April, 2017, a copy of the foregoing was sent to the following parties to the agency proceedings:

Affected Advisory Neighborhood Commissions:

ANC 5C (via first-class mail)
PO Box 91902
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Signed,


/s/n **William Merrified**

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